

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN RE: BK09-82829
JACK WRAGGE & SHERI WRAGGE CHAPTER 12
DEBTORS

IN RE: BK09-82830
JEFFERY WRAGGE CHAPTER 12
DEBTOR

DEBTORS' MOTION FOR CONSOLIDATION OF CASES
And NOTICE UNDER NEB. R. BANKR. P. 9013

COME NOW Jack Wragge and Sheri Wragge, and Jeff Wragge, Debtors in the referenced cases, and file this Motion for Consolidation of Case under Fed. R. Bankr. P. 1015.

1. The Debtors filed bankruptcy under Chapter 12 of the United States Bankruptcy Code on October 23, 2009 under the referenced cases.
2. The Debtors Jack Wragge and Jeff Wragge are brothers, who have for many years operated various agricultural enterprises (including a dairy, custom cattle feeding, custom cattle care, row-crop and hay farming, and trucking) as Wragge Dairy Farms, LLC ("Wragge Farms"). Each of Jack Wragge and Jeff Wragge has an equal ownership interest in, and an equal voice and vote in the management of, Wragge Farms.
3. Wragge Farms owns some of the machinery and equipment with which the agricultural and trucking operations are undertaken.
4. Jeff Wragge and Jack Wragge each own an undivided half interest in the 240 acres of real estate which forms the base of Wragge Farms operations.
5. Upon information and belief, either both, or one of, Jack Wragge and Jeff Wragge are personally liable for the debts of Wragge Farms.

6. The principal creditor in each of the cases is Security National Bank, Osmond, Nebraska. Each of Jeff Wragge and Jack Wragge, individually, upon information and belief, are signatories on the promissory notes which constitute Security National's claims in the bankruptcy cases, with the exception of an obligation owing to Security National, if any, on a residential loan that, upon information and belief, is now held by AgriAccess of Rochester, Minnesota. The latter indebtedness is secured by the homestead of Jack Wragge and his spouse and co-debtor, Sheri Wragge, and Jeff Wragge bears no liability for that indebtedness. Security National, in its election to foreclose deed of trust interests securing its claims, which foreclosure proceeding *inter alia* precipitated these bankruptcy filings, included the homestead of Jack and Sheri Wragge in that foreclosure proceeding.
7. Virtually all of the individual debts of Jeff Wragge and Jack Wragge have been incurred as part of Wragge Farms business.
8. It will be the revenue of Wragge Farms, and the combined efforts of Jeff Wragge and Jack Wragge that will produce the revenue to pay the claims of the creditors as determined under Chapter 12 in these bankruptcies, most of whom are identical.
9. Consolidation of the bankruptcies will not result in less favorable treatment being afforded to any creditor.
10. The Debtors propose to file a single Chapter 12 Plan, together with required exhibits.
11. The Debtors believe consolidation of these cases to be in the best interests of the bankruptcy estates, and that consolidation will save time and money for the estates, for the creditors, for the Chapter 12 Trustee and for the Court.

WHEREFORE , Debtors request

- A. that the Court order the administrative consolidation of the above referenced bankruptcies,
- B. that the Court enter such other orders as are just and equitable and tend to avoid unnecessary costs and delays.

DATED this 11th day of November, 2009

Jack Wragge, Sheri Wragge and Jeff Wragge,
Debtors.

/s/ Joe M. Hawbaker

Joe M. Hawbaker - #20563

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Attorney for Debtor

NOTICE OF OBJECTION/RESISTANCE DEADLINE

TO: The Debtor, Debtor's Attorney, Creditors and Other Interested Parties.

Please take note that on November 11, 2009 the foregoing Motion was electronically filed with the United States Bankruptcy Court for the District of Nebraska. Anyone who desires to object to or resist said Motion shall have until **December 1, 2009** to file an objection or resistance with the *Bankruptcy Court Clerk, Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, #1125, Omaha, NE 68102*, with a copy served on Joe M. Hawbaker, Hawbaker Law Office, 5405 Decatur St., Omaha, NE 68104. In the event there is an objection or resistance filed, the Clerk of said Court will set a date and time for a hearing on the objection or resistance. If no objection or resistance is filed, the Court will consider the entry of an order granting the Motion without further notice or opportunity to be heard. Please take notice that the provisions of Nebraska Rule of Bankruptcy Procedure 9013-1 will apply to any objections or resistances that are filed.

CERTIFICATE OF SERVICE

I certify that on November 11, 2009 I electronically filed the foregoing with the Clerk of the Bankruptcy Court using the CM/ECF system which sent notification of said filing to all CM/ECF participants.

I further certify that on November 12, 2009 I served the foregoing, together with any attachments, by U.S. Mail, postage prepaid, to all parties on the Debtor's matrix.

/s/ Joe M. Hawbaker

Joe M. Hawbaker - #20563